



City of NORFOLK

C: Dir., Public Works

To the Honorable Council
City of Norfolk, Virginia

June 14, 2016

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way at 240 W. 21st Street with a canopy, sign, pilasters, capitals, window trim and lighting

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-18

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Richard and Judy Levin
240 W. 21st Street
Norfolk, Virginia 23517

III. **Description:**

This agenda item is an ordinance permitting Richard and Judy Levin to encroach into the City of Norfolk's (the "City's") right-of-way at 240 W. 21st Street with a canopy, sign, pilasters, capitals, window trim and lighting.

IV. **Analysis:**

An encroachment is an object or structure that infringes into the City's rights-of-way or property. *Norfolk City Code*, § 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow the enhancement of the façade of the building located at 240 W. 21st Street.

V. **Financial Impact:**

Liability insurance has been provided naming the City as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City did not charge a fee for this encroachment.

VI. **Environmental:**

N/A

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City's agenda notification process. The encroachment was reviewed and recommended by the Norfolk Design Review Committee and the City Planning Commission.

VIII. Board/Commission Action:

The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office have reviewed this request for encroachment and offer no objections.

IX. Coordination/Outreach:

This letter and ordinance have been coordinated with Department of Public Works and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (7 Sheets)

Form and Correctness Approved: *RAP*

FW
Contents Approved:

By *Clayton A. Gurnea*
Office of the City Attorney

By *JA*
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING RICHARD AND JUDY LEVIN TO ENCROACH INTO THE RIGHT-OF-WAY AT 240 W. 21ST STREET WITH A CANOPY, SIGN, PILASTERS, CAPITALS, WINDOW TRIM AND LIGHTING.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Richard and Judy Levin (the "Levins") to encroach into the right-of-way at 240 W. 21st Street with a canopy, sign, pilasters, capitals, window trim and lighting, as shown on Exhibit A attached hereto. Such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, the Levins, or their successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (3) That the Levins, or their successors and assigns, at their own cost and expense, shall take out and keep in full force and effect during the term of the encroachment general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least \$1,000,000.00 each occurrence and \$2,000,000.00 general aggregate against liability from claims, actions and suits that may be asserted or brought against the City and/or the Levins, and their successors and assigns, for any injury to, or death of any person or persons, or for any damage to, or destruction of property resulting from the installation,

maintenance, or existence of said encroaching structures, with evidence of such insurance being provided to the City.

- (4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way at the property address of 240 W. 21st Street.

Section 2:- That the failure of the Levins, or their successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

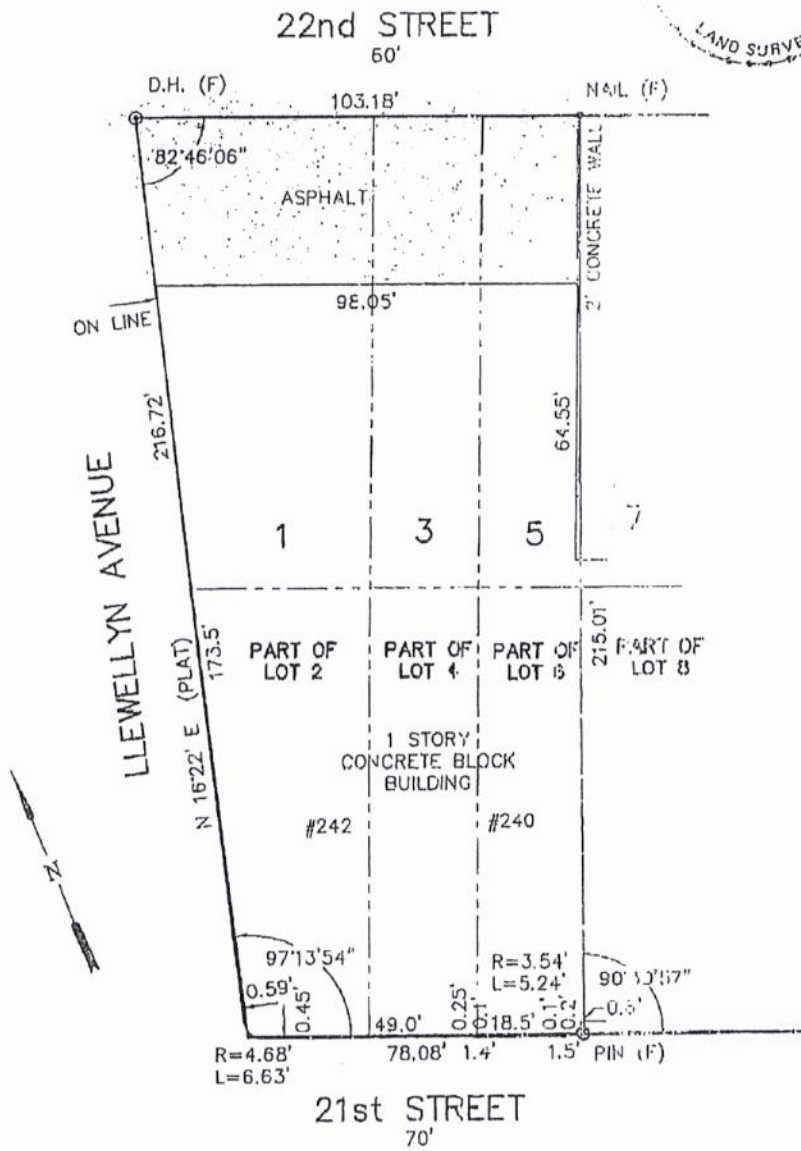
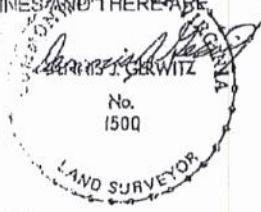
Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by the Levins, and its successors and assigns, of all conditions to which the permissions herein are granted.

Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A TO ORDINANCE

240-111

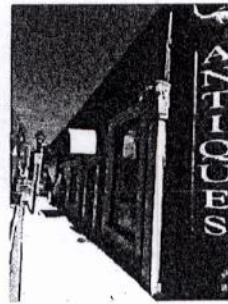
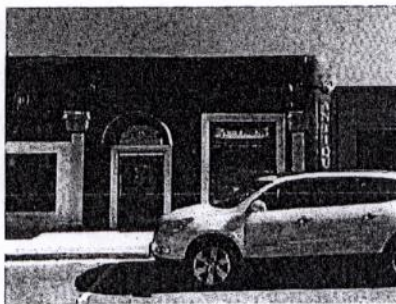
THIS IS TO CERTIFY THAT I ON JUNE 30, 2003 SURVEYED THE PROPERTY SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS, EXCEPT AS SHOWN



\\Server102\PHYSICAL SURVEY\2003\0630\2003_7/3/2003 3:12:50 PM, 1:20

NOTE: THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE C AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM MAP FOR THE CITY OF NORFOLK COMMUNITY NO. 610104-0017 D DATED 4/17/84 BASE ELEVATION LOWEST FLOOR ELEVATION

PHYSICAL SURVEY OF LOTS 1, 3, 5 AND PART OF LOTS 2, 4, 6, BLOCK 66 PARK PLACE NORFOLK, VIRGINIA M.B. 3, P. 25697 (N.C.) FOR RICHARD G. LEVIN & JUDITH W. LEVIN	
DATE: JUNE 30, 2003 SCALE: 1" = 30' F.B.: 308A CAD TECH. D.V.	 DENNIS J. GERWITZ, P.C. 550 CENTRAL DRIVE, SUITE 112 VIRGINIA BEACH, VIRGINIA 23464 757-458-1021 FAX 757-458-4340



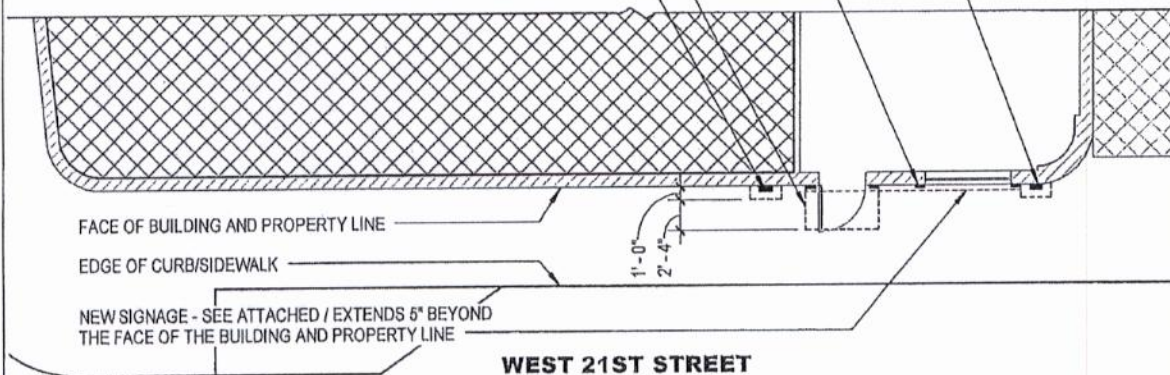
WPA
WORK PROGRAM ARCHITECTS
767.227.6310

PINOT'S PALETTE NORFOLK
240 WEST 21ST STREET

EXISTING DOOR AND WINDOW TRIM, TYPICAL (VARIOUS SIZES)

EXISTING DOOR CANOPY ABOVE (36"X66")

EXISTING PILASTER (5"X12") AND CAPITAL (12"X28" / ABOVE)



1
G500 G500

NEW SIGNAGE AND EXISTING ENCROACHMENTS PLAN

1" = 10'-0"

Project #

1536

Date

14 APRIL 2016

NEW SIGNAGE
AND EXISTING
ENCROACHMENTS

G500

PINO'S PALETTE

240 W 21st St
Norfolk, VA 23517



South Water Signs

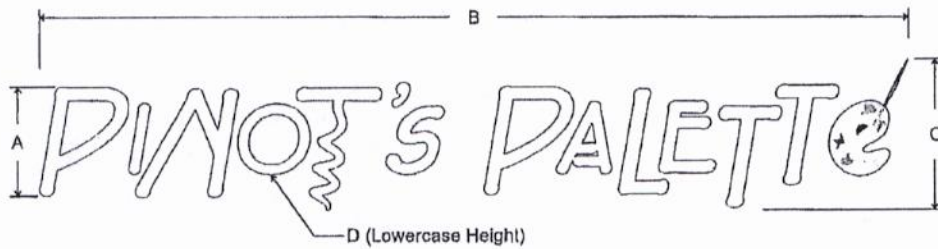
03.22.16
7014703



Before
No existing sign



After



Part No.	A	B	C	D	SQ. FT (C x D)
PP-L-18-F-W	18"	12' 1/2"	25"	11-3/4"	25

PINOT'S PALETTE

240 W 21st St
Norfolk, VA 23517

Face-LB Letters

7014703

7014703 Pinots, Norfolk, VA.cdr

03.18.18 AV

03.22.16 AV

Main ID Sign



SouthWater Signs

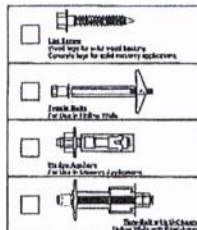
934 N. Church, Elmhurst, IL 60126



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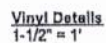


- * 2' 6" lower section of wall where sign will be mounted needs to be removed and repaired, painted satin black before new sign installation*

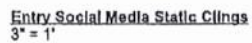
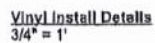





A QUALITY 120 VA. TRANSFORMER WITH
 ALL FEATURES OF THE WELLS FLETCHER 120 VA. TRANSFORMER
 AND MAY BE USED IN APPLICATIONS WHERE AN ANNUAL INSPECTION
 IS REQUIRED TO COMPLY WITH THE NATIONAL ELECTRICAL CODE.



First surface applied vinyl graphics



Applied static cling graphics
Mounted to main entry secondary door/side light glass
*Pink is die-line for cutting, do not print



240 W 21st St
Norfolk, VA 23517

7014703_Pivola_Norfolk, VA.cdr

03.16.16 AV

03.22.16 AV

Entry Door Graphics



934 N. Church, Elmhurst, IL 60126



2. TREATMENT OF THE SURFACED WATER
AND DISCUSS THE VARIOUS METHODS OF SURFACE WATER
AND THE NEED FOR SURFACE WATER TREATMENT FOR DRINKING PURPOSES.
3. WATER TREATMENT PLANTS (A SURVEY OF THE STATE)



PINO'S PALETTE

240 W 21st St
Norfolk, VA 23517

Vinyl

7014703

7014703 Pino's Palette, Norfolk, VA, color

03.16.16 AV

03.22.16 AV

Entry Door Graphics



South Water Signs

934 N. Church, Elmhurst, IL 60126



A REALTOR'S SIGN IS A SIGN THAT SAYS "I AM A REALTOR".
ALL REALTORS ARE REQUIRED TO USE AN EQUAL OPPORTUNITY SIGN.
WHEN YOU SEE A REALTOR'S SIGN, IT MEANS THE HOUSE IS FOR SALE.